

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11803-MLW

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SHENIA DANCY-STEWART as  
Administratrix of the Estate of EVELINE  
BARROS-CEPEDA,  
Plaintiffs

v.

THOMAS TAYLOR, Jr., and the CITY  
OF BOSTON,  
Defendants.

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**DEFENDANTS CITY OF BOSTON'S AND THOMAS TAYLOR'S CERTIFICATION  
REGARDING MARIA DEROSA'S DEPOSITION ATTENDANCE**

Defendants, City of Boston and Thomas Taylor, Jr. ("Defendants"), hereby file this certification that Ms. Maria DeRosa appeared for her deposition scheduled for March 5, 2008 at City Hall, Rm. 615 in Boston, MA, but she did not fully comply with the subpoena and testify at her deposition. On March 5, 2008, Ms. DeRosa indicated that she had rehired her counsel, Eduardo Masferrer, Esq., and that Mr. Masferrer would be unable to attend her deposition that day. Ms. DeRosa then agreed to reappear for her rescheduled deposition at another date when her counsel would be available.

Accordingly, Ms. DeRosa's deposition has been rescheduled for Wednesday, March 12, 2008 at 1 p.m. On March 7, 2008, undersigned counsel spoke with Attorney Masferrer by telephone to confirm his appearance on said date. Additionally, the Defendants will re-serve Ms. DeRosa with another deposition subpoena for her March 12, 2008 deposition. Given these developments, the Defendants request that contempt proceedings against Ms. DeRosa be held on

March 13, 2008 (or another date that is more amenable to the Court) in the event Ms. DeRosa does not appear for her March 12, 2008 deposition. The Defendants also request that on March 12, 2008 they do the following: (1) file a certification with this Court regarding whether Ms. DeRosa appeared for her deposition on that date; and (2) in the event Ms. DeRosa failed to appear, the Defendants propose that they supplement their motion for contempt with an amendment that includes Ms. DeRosa's failure to attend her March 12, 2008 deposition.

Respectfully submitted,  
DEFENDANTS, THOMAS TAYLOR, JR.  
AND CITY OF BOSTON,

By their attorneys:

/s/ Helen G. Litsas

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**CERTIFICATE OF SERVICE**

I, Helen G. Litsas, hereby certify that on this date I served a copy of the foregoing documents upon lead plaintiff's counsel, Andrew Stockwell-Alpert, by electronic filing and by postage prepaid, first class, U.S. Mail.

3/7/08 /s/      Helen G. Litsas

Date                Helen G. Litsas